

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JANUARY 6, 1992  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Roberts at 2:05 p.m. The meeting was recessed by Deputy Mayor Roberts at 2:09 p.m. to meet in Closed Session in the 12th Floor Conference Room to discuss pending litigation. The meeting was reconvened by Deputy Mayor Roberts at 2:17 p.m. with Mayor O'Connor not present. Deputy Mayor Roberts adjourned the meeting at 5:41 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-279348  
(City business re State of City Address)
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present

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- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Richard Allsing, Saint Paul's Lutheran Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Hartley.

FILE LOCATION: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

11/25/91  
11/26/91  
12/02/91 Special  
12/02/91  
12/03/91

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A056-065.)

MOTION BY McCARTY TO APPROVE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-31: NOTED AND FILED

Matter of the request of Cove Towers Homeowners Association, by Florence C. Carlson, for a hearing of an appeal from the action of the Planning Commission which sustained the Planning Director's approval of La Jolla Planned District Permit, Coastal Development Permit and Sensitive Coastal Resource Permit LJPd, CDP & SCR-91-0368 to remodel a designated historical house for use as a coffeehouse at 1235 Coast Boulevard (Pannikin at the Cove).

The applicant is requesting to add a wood deck in the front yard, remodel the interior of the 1,613 square-foot existing house and use it as a coffeehouse. The subject property is located at 1235 Coast Boulevard and is further described as Lot 29 P, Block 59 of La Jolla Park, Map-352, within the La Jolla Planned District Ordinance Zone 5 and the La Jolla Community Plan area.  
(LJPd/CDP/SCR-91-0368. District-1.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM LJPd/CDP/SCR-91-0368

COUNCIL ACTION: (Tape location: A067-093.)

MOTION BY WOLFSHEIMER TO NOTE AND FILE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-32: CONTINUED TO JANUARY 21, 1992, 10:00 A.M.

Matter of the request of Save Everyone's Access (SEA), by Laura Langman, President, for a hearing of an appeal from the decision of the Planning Commission in approving Coastal Development and Sensitive Coastal Resource Permits CDP-91-0538 and SCR-91-0538 (formerly Case-89-0495), proposing to construct a six-foot high open fence to be located adjacent to a coastal bluff edge. The subject property is located at 6378 Camino

de la Costa, in Zone R1-8000, in the La Jolla Community Plan area, and is more particularly described as Lot 6, Block 1, Hermosa Terrace, Map-4353. (CDP/SCR-91-0538 (formerly Case-89-0495). District-1.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM CDP/SCR-91-0538

COUNCIL ACTION: (Tape location: A095-190.)

MOTION BY WOLFSHEIMER TO CONTINUE THE ITEM TO JANUARY 21, 1992 AT 10:00 A.M. STAFF IS TO RETURN WITH A REPORT TO COUNCIL WITH THE FOLLOWING: 1.) CORRECT ANY ERRORS MADE. 2.) INSPECT THE AREA; PHYSICALLY WALKING IT. 3.) SEE IF ALL IMPROVEMENTS COMPLY WITH THE MUNICIPAL CODE AND SENSITIVE COASTAL RESOURCE OVERLAY ZONES. SEE IF THERE IS FULL COMPLIANCE WITH THE LOCAL COASTAL PERMITS. WHEN ALL IS IN COMPLIANCE, LET THE COUNCIL KNOW. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-50: (O-92-83) ADOPTED AS ORDINANCE O-17724 (New Series)

Amending Chapter II, Article 2, Section 22.0101 of the San Diego Municipal Code, Permanent Rules of the City Council, by amending Rule 21, relating to the Committee on Public Services and Safety, by increasing its membership from five to six members. (Introduced on 12/9/91. Council voted 8-0. Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A310-335.)

MOTION BY FILNER TO DISPENSE WITH THE READING AND ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

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\* ITEM-51: (O-92-47 Cor.Copy) ADOPTED AS ORDINANCE O-17725  
(New Series)

Amending Chapter VI, Article 2, Division 2, of the San Diego Municipal Code by amending Section 62.0208, relating to the Cost Reimbursement District Procedural Ordinance.

(Introduced on 12/9/91. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A301-307.)

CONSENT MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-52: (O-92-38) Cor. Copy ADOPTED AS ORDINANCE O-17726  
(Rev.1 1/8/92) (New Series)

Amending Chapter X of the San Diego Municipal Code by amending Article 1, Division 1, relating to Height of a Structure, by amending Section 101.0101.25, 101.0101.35, 101.0101.48, 101.0101.62, 101.0101.63, 101.0101.70, 101.0101.71 and 101.0101.99; by amending Article 1, Division 2, by adding Sections 101.0214, 101.0215 and 101.0216, and by amending 101.0245; by amending Article 1, Division 4, by amending Section 101.0445 and 101.0452, by repealing Section 101.0452.1, by amending Section 101.0452.5, and by repealing Section 101.0452.17; by amending Article 1, Division 6, by amending Sections 101.0620 and 101.0630; by amending Article 3, Division 2, by amending Sections 103.0202 and 103.0205; by amending Article 3, Division 3, by amending Sections 103.0303.3, 103.0304.1, 103.0304.2, 103.0304.3 and 103.0304.4; by amending Article 3, Divisions 4, 5, 10, 12, 13, 15, 16, 17 and 20, by amending Sections 103.0407, 103.0526.12, 103.1008, 103.1203, 103.1206, 103.1306, 103.1503, 103.1606, 103.1705, 103.1706, 103.1708 and 103.2007. (Introduced as amended on 12/10/91 to delete any reference to story

poles and photomontages. Council voted 7-0. District 8 not present. Mayor ineligible.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A340-433.)

MOTION BY FILNER TO DISPENSE WITH THE READING AND ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-53: (O-92-76) ADOPTED AS ORDINANCE O-17727 (New Series)

Incorporating 112 acres, located north of the Tijuana River, south of Interstate 5 and east of Dairy Mart Road, from A1-1 and A1-10 Zones into R1-5000 Zone. (Case-89-1391. San Ysidro Community Area. District-8. Introduced on 12/10/91. Council voted 7-0. Districts 4 and 5 not present.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A301-307.)

CONSENT MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-54: (O-92-62) ADOPTED AS ORDINANCE O-17728 (New Series)

Amending Section 1 of Ordinance O-17102 (New Series), adopted May 31, 1988, incorporating approximately 32 acres, located on the east side of Interstate 805, north of Palm Avenue, into CA Zone; extension of time to December 31, 1994.

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(Case-91-0455. Otay Mesa Community Area. District-8.  
Introduced on 12/10/91. Council voted 7-0. Districts  
1 and 6 not present.)

FILE LOCATION:                      ZONE ORD. NO.

COUNCIL ACTION:                      (Tape location: A301-307.)

CONSENT MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING  
AND ADOPT. Second by Behr. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-not present.

\* ITEM-55: (O-92-81 Rev.1)      ADOPTED AS ORDINANCE O-17729 (New  
Series)

Changing a setback line established pursuant to City of San  
Diego Tract No. 3787 along Morena Boulevard from 25 feet to  
10 feet for the period ending June 30, 1997. (District-6.  
Introduced on 12/3/91. Council voted 7-0. District 8 and  
Mayor not present.)

FILE LOCATION:                      MEET

COUNCIL ACTION:                      (Tape location: A301-307.)

CONSENT MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING  
AND ADOPT. Second by Behr. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-not present.

ITEM-56: (O-92-73)              INTRODUCED, TO BE ADOPTED JANUARY 21,  
1992

Introduction of an Ordinance amending Chapter III,  
Article 5, Division 1, of the San Diego Municipal Code  
by amending Section 35.0123, relating to Transient  
Occupancy Taxes, changing the liens on delinquent  
transient occupancy taxes to tax liens, giving them  
higher priority for collection.

CITY MANAGER SUPPORTING INFORMATION:

In order to provide more protection to the City and improve the City's chances for collection of delinquent taxes, the language of the Municipal Code must be amended. Since a tax lien has higher priority than a judgment lien, this change will give T.O.T. liens the effect and priority of tax liens.

FILE LOCATION:                   --

COUNCIL ACTION:           (Tape location: C326-353.)

MOTION BY McCARTY TO INTRODUCE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCart-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-57: (O-92-68)       INTRODUCED, TO BE ADOPTED JANUARY 21,  
1992

Introduction of an Ordinance amending Chapter IV, Article 1, of the San Diego Municipal Code by creating and entitling Division 7 to read Environmental Health Permits, by renumbering Section 41.07 to read Section 41.0701, and renumbering and amending Sections 41.07.1 and 41.07.4 to Sections 41.0702 and 41.0703 respectively, all relating to Penalties for Health Service Permit Fee Delinquencies.

CITY MANAGER SUPPORTING INFORMATION:

Over the years, the City Council has adopted County Health Department permit fees by referencing the County Code. However, for cost recovery purposes, the County has annually reviewed and revised the penalties for various delinquencies on submitting permit fees. Because there is currently a difference between the County and City regarding penalties on delinquent health permit fees, this necessitates that the Municipal Code be amended as well. By amending Municipal Code Sections 41.07 and 41.07.4, the City will no longer need to provide revisions to coincide with County amendments. The proposed Municipal Code revision outlines that "there shall be added to and collected with the required fee a penalty to be determined by the County of San Diego and kept on record by the County Department of Health Services and on file in the City Clerk's Composite Rate Book."



FILE LOCATION: --

COUNCIL ACTION: (Tape location: C312-324.)

CONSENT MOTION BY FILNER TO INTRODUCE. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-58: (O-92-84) INTRODUCED, TO BE ADOPTED JANUARY 21,  
1992

Introduction of an Ordinance authorizing the execution  
of a 25-year agreement with the Veterans Memorial  
Center, Inc. for the use and occupancy of Building 149,  
Inspiration Point at Balboa Park (formerly the Naval  
Hospital Chapel). (Balboa Park Community Area.  
District-3.)

CITY MANAGER SUPPORTING INFORMATION:

The proposed agreement with the Veterans Memorial Center, Inc. is  
for a period of 25 years with an option to extend the term 25  
years. The proposed agreement is in accordance with City Council  
direction that Building 149 - Inspiration Point, Balboa Park  
(former Chapel) be retained and that the use of this facility be  
by a Veteran's organization. The building will be used to  
provide a general facility for Veterans' organizations; a meeting  
place for Veteran's groups and related activities. The Veterans  
Memorial Center, Inc. meets criteria for occupancy of Building  
149 as outlined in Council Policy 700-4, and the proposed  
agreement was approved by the Park and Recreation Board at their  
October 17, 1991 meeting.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C312-324.)

CONSENT MOTION BY FILNER TO INTRODUCE. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

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\* ITEM-100: (R-92-667) ADOPTED AS RESOLUTION R-279183

Awarding a contract to San Diego Turf for furnishing the City of San Diego with three diesel mowers; authorizing the expenditure of an amount not to exceed \$97,307.01 from Fund No. 50031, Department No. 8201, Object Account No. 6013, and Job Order No. 88092, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-P2742/92)

Aud. Cert. 9200478.

FILE LOCATION: CONT-PURCHASE San Diego Turf CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-101: (R-92-661) ADOPTED AS RESOLUTION R-279184

Awarding contracts for the purchase of miscellaneous equipment and engine parts, as may be required for a period of one year beginning February 1, 1992 through January 31, 1993, for an estimated cost of \$163,118, including tax and terms, as follows: 1) A & T Saw and Lawnmower Shop, 2) Western Turf - San Diego, 3) George's Lawn Equipment, 4) Mason's Saw and Lawnmower Service, Inc., 5) Yanagihara Enterprises, Inc., dba Ouchi Nursery, 6) C.R. Jaeschke, Inc., 7) Zagani, Inc., dba Clairemont Equipment Co. and 8) San Diego Turf and Irrigation Inc. (BID-P2774/92)

FILE LOCATION: CONT-PURCHASE-A&T Saw and Lawnmower Ship;  
Western Turf - San Diego;  
George's Lawn Equipment;  
Mason's Saw and Lawnmower Service, Inc.;  
Yanagihara Enterprises, Inc., dba Ouchi  
Nursery;

C.R. Jaeschke, Inc.;  
Zagani, Inc., dba Clairemont Equipment Co.;  
and San Diego Turf and Irrigation Inc. CONT  
FY92-8

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-102: (R-92-663) ADOPTED AS RESOLUTION R-279185

Awarding a contract to City Chevrolet for the purchase  
of Chevrolet auto and truck repair parts, as may be  
required for a period of one year beginning February 1,  
1992 through January 31, 1993, for an estimated cost of  
\$119,075, including tax, with options to renew the  
contract for four additional one year periods under the  
same terms and conditions. (BID-C2773/92)

FILE LOCATION: CONT-PURCHASE-City Chevrolet CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-103: (R-92-635) ADOPTED AS RESOLUTION R-279186

Awarding contracts to University Ford and El Cajon  
Ford, for the purchase of seven mini-cargo vans and two  
mid-size sedans, for a total cost of \$129,312.48,  
including tax and terms; authorizing the expenditure of  
an amount not to exceed \$129,312.48 from Fund No.  
10135, Department No. 10135, Object Account No. 6013,  
and Job Order No. 001992, for providing funds for said  
project and related costs; authorizing the City Auditor  
and Comptroller, upon advice from the administering

department, to transfer excess budgeted funds, if any,  
to the appropriate reserves. (BID-C2619/92)

Aud. Cert. 9200456.

FILE LOCATION: CONT-PURCHASE-University Ford and El Cajon  
Ford CONT FY92-2

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-104: (R-92-669) ADOPTED AS RESOLUTION R-279187

Awarding a contract to The Trebor Company for the  
purchase of traffic barricades, as may be required for  
a period of one year beginning December 1, 1991 through  
November 30, 1992, for an estimated cost of \$45,568,  
including tax, with an option to renew the contract for  
four additional one year periods, with price increases  
not to exceed 25 percent of prices in effect at the end  
of each prior year. (BID-H2770/92)

FILE LOCATION: CONT-PURCHASE-The Trebor Company CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-105: (R-92-668) ADOPTED AS RESOLUTION R-279189

Awarding contracts to San Diego Plastics and Reid &  
Clark for the purchase of blank and printed plastic  
panels, as may be required for a period of one year  
beginning November 1, 1991 through October 31, 1992,  
for an estimated cost of \$44,426, including tax.

(BID-H2734/92)

FILE LOCATION: CONT-PURCHASE-San Diego Plastics and Reid &  
Clark CONT FY92-2

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-106: (R-92-650) ADOPTED AS RESOLUTION R-279190

Awarding a contract to Carbonite Filter Corporation for  
the purchase of 567 tons of anthracite filter media,  
for a total cost of \$157,957.90; if the successful  
bidder is unable to perform in accordance with  
specifications, the Purchasing Agent is authorized to  
terminate the contract and award to the next low bidder  
whose material passed the test; and to award to  
subsequent bidders, if necessary, until a bidder is  
found who can comply with specifications; authorizing  
the expenditure of not to exceed \$157,957.90, from  
Department No. 700, Fund No. 41500, Organization Nos.  
411 and 413, Object Account No. 3221, and Job Order  
Nos. 3502 and 3509, for said project and related costs;  
authorizing the Auditor and Comptroller, upon advice  
from the administering department, to transfer excess  
budgeted funds, if any, to the appropriate reserves.  
(BID-B2607/92)

Aud. Cert. 9200422.

FILE LOCATION: CONT-PURCHASE-Carbonite Filter Corporation  
CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-107: (R-92-665) ADOPTED AS RESOLUTION R-279191

Awarding a contract to Pacific Treatment Environmental Services, Inc., for packing, testing, transportation, storage and disposal of hazardous material - nuisance abatements only, as may be required for a period of one year beginning February 1, 1992 through January 31, 1993, for an estimated cost of \$50,000, including terms, with options to renew for four additional one year periods with price escalations not to exceed 10 percent of prices in effect at the end of each prior year. (BID-B2720/92)

FILE LOCATION: CONT-PURCHASE-Pacific Treatment Environmental Services, Inc. CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-108: (R-92-664) ADOPTED AS RESOLUTION R-279192

Awarding contracts to One Hour Photo Stop and Color Craft Company for furnishing photo processing service, as may be required for a period of one year beginning December 1, 1991 through November 30, 1992, for an estimated cost of \$71,217.50, with options to renew the contract for four additional one year periods, with price increases not to exceed five percent of the prices in effect at the end of each prior period. (BID-Q2771/92)

FILE LOCATION: CONT-PURCHASE-One Hour Photo Stop and Color Craft Company CONT FY92-2

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-109: (R-92-636) ADOPTED AS RESOLUTION R-279193

Awarding a contract to Advanced Digital Maps, Inc. for aerial survey, topographic mapping, digitizing and photographs of Mission Bay Park Master Plan, for a total cost of \$84,499, including tax and terms; authorizing the expenditure of not to exceed \$84,499, from Transient Occupancy Tax Fund 102242, CIP-21-834, Balboa Park Requirements Sublet Project, CIP-21-837.0, Aerial Survey of Mission Bay Park, for the purpose of executing the agreement; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-H2682/92)

Aud. Cert. 9200453.

FILE LOCATION: CONT-PURCHASE-Advanced Digital Maps, Inc.  
CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-110: (R-92-670) ADOPTED AS RESOLUTION R-279194

Awarding a contract to Baker Door Co., Inc., dba Bejar Gate Co., for furnishing maintenance and repair service for electrically operated gates at various Police Department facilities, as may be required for a period of one year beginning December 1, 1990 through November 30, 1991, for an estimated cost of \$47,680, including terms, with options to renew the contract for four additional one year periods. (BID-F1856/91)

FILE LOCATION: CONT-PURCHASE-Baker Door Co., Inc., Bedjar Gate Co. CONT FY92-1

COUNCIL ACTION: (Tape location: C393-463.)

MOTION BY STEVENS TO ADOPT. AS CONTRACTS ARE AWARDED, THE CITY MANAGER IS REQUESTED TO PROVIDE COUNCIL WITH A REPORT ON THE PROPOSED CONTRACT COMPANY AS RELATED TO MEETING THE CITY'S GOALS CONCERNING MINORITIES. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-not present, Filner-yea, Mayor O'Connor-not present.

ITEM-111: (R-92-941) ADOPTED AS RESOLUTION R-279195

Awarding a contract to United Pacific Corporation for furnishing dewatering of wastewater screening, as may be required for a period of one year beginning November 1, 1991 through October 31, 1992, for an estimated cost of \$181,171.89, including terms, with options to renew the contract for four additional one year periods with price escalations not to exceed 10 percent of prices in effect at the end of the prior year. (BID-B2655/92)

FILE LOCATION: CONT-PURCHASE-United Pacific Corporation  
CONTFY92-1

COUNCIL ACTION: (Tape location: C464-488.)

MOTION BY STEVENS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-not present, Filner-yea, Mayor O'Connor-not present.

\* ITEM-112: (R-92-657) ADOPTED AS RESOLUTION R-279196

Authorizing the expenditure of an additional \$1,979.50 for the incorporation of a hard-top superstructure on a multi-purpose rescue vessel for the Lifeguard Services Division, in accordance with the terms and conditions of Bid No. H1267/90, previously authorized by Resolution R-275447, adopted on April 16, 1990; authorizing the additional expenditure of not to exceed \$1,979.50 from Department No. 100, Fund No. 447, Organization No. 340, Object Account No. 6010, and Job Order No. 3400 for providing funds for said project and related costs; authorizing the Auditor and Comptroller,



upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-H1267/90)

Aud. Cert. 9200414.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-113: (R-92-658) ADOPTED AS RESOLUTION R-279197

Authorizing the City Manager to assign all rights and obligations of the contract for lease and full maintenance with option to purchase of one heavy duty tractor bulldozer, Alt. I, from SMA Equipment Co. Inc. to Clairemont Equipment Company, as previously authorized by Resolution R-275688, adopted on May 14, 1990. (BID-B1266/90)

FILE LOCATION: CONT-PURCHASE-Clairemont Equipment Company  
CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-114: (R-92-666) ADOPTED AS RESOLUTION R-279198

Authorizing the City Manager to declare that House of Batteries is in default of the contract for radio, pager and cellular telephonic batteries (Items 11, 13 and 25) as authorized by Resolution R-278714, adopted on October 7, 1991;

authorizing the Purchasing Agent to purchase these items on the open market until they can be re-incorporated into a rebid of this contract when it expires in August, 1992. (BID-2509/92)

FILE LOCATION: CONT-PURCHASE-House of Batteries

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-115:

Three actions relative to the Construction of Water Main Replacement Group 476: (BID-K2862/92) (Mid-City Community Area. District-7.)

Subitem-A: (R-92-556) ADOPTED AS RESOLUTION R-279199

Inviting bids for the Construction of Water Main Replacement Group 476 on Work Order No. 180751; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$1,481,035 from Water Revenue Fund 41502, Water Construction Outlay (70592), CIP-73-083, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Subitem-B: (R-92-557) ADOPTED AS RESOLUTION R-279200

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, DEP-90-0277, dated February 28, 1991, in connection with the Construction of Water Main Replacement Group 476, has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

Subitem-C: (R-92-558) ADOPTED AS RESOLUTION R-279201

Authorizing the use of City Forces to make connections and perform operational checks; declaring that the cost of the work shall not exceed \$198,979.

CITY MANAGER SUPPORTING INFORMATION:

Water Main Replacement Group 476 will replace approximately 1.6 miles of deteriorated cast iron water mains in the Rolando area of the Mid-City community plan. Having served the area south of El Cajon Boulevard between 67<sup>th</sup> Street and 70th Streets for over 60 years, the existing facilities have experienced 18 breaks since 1965. This project will alleviate these breaks and provide more reliable water distribution for this service area well beyond the foreseeable future. This project will also complete the public improvements that were required of the developer, on the southeast corner of El Cajon Boulevard and 67th Street. These improvements include curbs, gutters, sidewalks, pedestrian ramps, and pavements. Since the developer failed to provide the public improvements, the project was placed in default and the bonding company issued a check to the City in the amount of the posted surety. Combined with the remaining balance of the developer's deposit, financing is available to complete the public improvements.

Aud. Cert. 9200304.

WU-P-91-202.

FILE LOCATION: W.O. 180751 CONT - Dietrich Corp.  
CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-116: (R-92-553) ADOPTED AS RESOLUTION R-279202

Inviting bids for Sidewalk and Curb Replacement on Various City Streets - FY 92 - C-7; authorizing the execution of a contract with the lowest responsible

bidder; authorizing the expenditure of \$200,000 from Gas Tax Fund 302191, for providing funds for said project and related costs. (BID-K2841/92)

CITY MANAGER SUPPORTING INFORMATION:

Beginning in FY 90, an accelerated sidewalk replacement program was undertaken using contractual labor. The FY 90 program which utilized \$400,000 and two contracts reduced the backlog from a 1,800 job backlog to a 1,434 job backlog. Continuing in FY 91, three contracts totaling \$600,000 were initiated, which reduced the backlog to 1,057 jobs. The FY 92 program calls for the use of \$700,000 in three contracts and is expected to result in an FY 92 year end of 600 jobs. This action, which is the second of the three FY 92 contracts, proposes the expenditure of \$200,000 and the completion of approximately 200 jobs towards the FY 92 program goal.

Aud. Cert. 9200437.

FILE LOCATION:           CONT-O & B Matthews Construction  
                          CONT FY92-1

COUNCIL ACTION:       (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-117:           (R-92-555)       ADOPTED AS RESOLUTION R-279203

Inviting bids for Overhaul of Pumps at Storm Pumping Station L on Work Order No. 005204; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$84,000 from Fund 100, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller upon advice from the administering department, to retain excess budgeted funds, if any, in Fund 100. (BID-K2854/92)

(Pacific Highway Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION:

Stormwater pumping station L is located at 3895 Pacific Highway. This is one of the larger storm stations in the City. As part of a five year plan for maintaining the station, the pumps are to be overhauled. These pumps have never been refurbished in their history. Two years ago they were removed and showed signs of wear. It is imperative that these pumps are reconditioned so that they will work at their rated capacity and prevent overflows which could cause damage to surrounding areas.  
Aud. Cert. 9200417.

FILE LOCATION:                W.O. 005204                CONT FY92-1

COUNCIL ACTION:            (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-118:

Two actions relative to the Construction of Paradise Hills Community Park Improvements: (BID-K2881/92) (Skyline/Paradise Hills Community Area. District-4.)

Subitem-A:                (R-92-559)                ADOPTED AS RESOLUTION R-279204

Inviting bids for the Construction of Paradise Hills Community Park Improvements on Work Order No. 118717; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$626,168 from CIP-29-574.1, Paradise Hills Community Park - Requirements, \$241,168 from PSD Fund No. 15000, \$210,000 from the 1984 State Bond Act - Regional Competitive Program as received, and \$175,000 from DIF Fund No. 79509, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Subitem-B:                (R-92-560)                ADOPTED AS RESOLUTION R-279205

Certifying that the information contained in Negative Declaration DEP-88-0561, in connection with Paradise Hills Community Park Improvements, has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

Paradise Hills Community Park is located at Paradise Valley Road and Potomac Street in the Skyline - Paradise Hills Community Planning Area. The proposed project will provide a small children's play area with equipment, additional picnic facilities, and a multipurpose court.

Aud. Cert. 9200457.

FILE LOCATION: W.O. 118717 CONT - HALBERT CONSTRUCTION  
CO., INC. CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-119: (R-92-541) ADOPTED AS RESOLUTION R-279206

Inviting bids for the purchase of siren amplifiers and interfaces for the Police Department; authorizing the execution of a contract with the lowest responsible bidder;  
authorizing the expenditure of an amount not to exceed \$135,000 from Federally Seized and Forfeited Assets Fund (Fund 10132), and \$10,000 from the General Fund (Fund 100), for providing funds for said project and related costs.  
(BID-I2783/92)

CITY MANAGER SUPPORTING INFORMATION:

During the current fiscal year the Police Department will be implementing Mobile Data Terminals in its patrol cars and will begin to utilize the new 800 MHz radio system. These changes

necessitate a reconfiguration of the siren assembly on the patrol cars. Partial funding for this reconfiguration was available through the CIP. An additional 225 units are required to equip field vehicles.

Aud. Cert. 9200473.

FILE LOCATION: CONT-PURCHASE-Siren amplifiers and  
interfaces for the Police Department  
CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-120: (R-92-912) ADOPTED AS RESOLUTION R-279207

Approving Parcel Map W.O. No. 900566, located on the  
north side of Midway Drive, east of Rosecrans Street.  
(Midway Community Area. District-2.)

FILE LOCATION: SUBD-Pueblo Lot 317,pors.

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-121:

Two actions relative to Parcel Map W.O. 900817, located  
southeasterly of I-805 and State Route 52:  
(Serra Mesa Community Area. District-5.)

Subitem-A: (R-92-923) ADOPTED AS RESOLUTION R-279208

Approving Parcel Map W.O. 900817.

Subitem-B: (R-92-924) ADOPTED AS RESOLUTION R-279209

Authorizing the execution of a quitclaim deed, quitclaiming to Allred-Collins Business Park Partnership, all of the City's right, title and interest in the emergency access easement and future pedestrian and non-motor vehicular right-of-way in Lot 1 of Allred-Collins Business Park West, Map-12675, in exchange for that emergency access easement and future pedestrian and non-motor vehicular right-of-way being granted on Parcel Map W.O. 900817.

FILE LOCATION: SUBITEM-A: SUBD-Allred-Collins Business  
Park West, pors.; SUBITEM-B: DEED F-5739  
DEED FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-122:

Three actions relative to the final subdivision map of Creekview South Parcels 23, 24, 25, 26 and 27 Unit No. 2, a 2-lot subdivision located southeasterly of I-15 and Poway Road: (Sabre Springs Community Area. District-5.)

Subitem-A: (R-92-937) ADOPTED AS RESOLUTION R-279210

Authorizing the execution of a Subdivision Improvement Agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-92-936) ADOPTED AS RESOLUTION R-279211

Approving the final map.

Subitem-C: (R-92-938) ADOPTED AS RESOLUTION R-279212



Approving the acceptance by the City Manager of a grant deed of Pardee Construction Company, granting to the City an easement for public street purposes in a portion of the north half of Section 21, Township 14 South, Range 2 West, San Bernardino Meridian; dedicating the land as and for a public street and naming the same Creekview Drive.

FILE LOCATION: SUBITEMS-A&B: SUB-Creekview South Parcels 23, 23, 25, 26 and 27 Unit No. 2;  
SUBITEM-C: DEED F-5740 DEED FY92-1  
CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-123:

Two actions relative to the final subdivision map of Creekview South Parcels 23, 24, 25, 26, and 27 Unit No. 3, a 2-lot subdivision located southeasterly of I-15 and Poway Road:  
(Sabre Springs Community Area. District-5.)

Subitem-A: (R-92-915) ADOPTED AS RESOLUTION R-279213

Authorizing the execution of a Subdivision Improvement Agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-92-914) ADOPTED AS RESOLUTION R-279214

Approving the final map.

FILE LOCATION: SUBD-Creekview South Parcels 23, 23, 25, 26, and 27 Unit No. 3 CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-124:

Four actions relative to the final subdivision map of Scripps Northridge Business Center, a 33-lot subdivision located southeasterly of I-15 and Poway Road:  
(Miramar Ranch Community Area. District-5.)

Subitem-A: (R-92-890) ADOPTED AS RESOLUTION R-279215

Authorizing the execution of a Subdivision Improvement Agreement with Robert T. Curry, for the installation and completion of public improvements.

Subitem-B: (R-92-889) ADOPTED AS RESOLUTION R-279216

Approving the final map.

Subitem-C: (R-92-892) ADOPTED AS RESOLUTION R-279217

Authorizing the execution of a three-way agreement to exchange real property with Robert T. Curry and Raedene Curry, and the City of Poway with such technical correction as the City Manager may deem necessary; authorizing the execution of a Settlement Agreement and Release with Robert T. Curry and Raedene Curry.

Subitem-D: (R-92-891) ADOPTED AS RESOLUTION R-279218

Approving the acceptance by the City Manager of a grant deed of Robert T. Curry and Raedene Curry, granting to the City Lots 27, 28, 29 and Lot "A" of Scripps Northridge Business Center.

CITY MANAGER SUPPORTING INFORMATION: On March 31, 1986 the Subdivision Board of the City of San Diego approved Tentative Map TM-86-0181 (formerly Tentative Map TM-83-0526), Scripps Northridge Business Center, pursuant to Subdivision Board Resolution No. 5027. The City is entering into a Subdivision Improvement Agreement (Deferred Improvement Development) with the

Developer because the subject property is surrounded by undeveloped land. It will be quite some time before utilities and other infrastructure reach the subject property.

Execution of the three-way agreement to Exchange Real Property will authorize the City Manager to accept easements from the City of Poway for park, recreation, and open space purposes which will satisfy the conditions improved under the map. In turn the Developer will transfer to the City of Poway Lots 30, "B", and "C" (designated for open space on the map) for use in connection with their sewage treatment plant. The transfer from Poway to San Diego and from the Developer to Poway will occur simultaneously through an escrow authorized under the agreement. The Developer has filed suit against the City of San Diego which alleges, among other things, that the City's actions with respect to the Miramar Ranch North Community Plan Area have constituted a de facto moratorium against development in that community. The City has denied the allegations of, and any liability under, the lawsuit. Under the Settlement Agreement and Release, the Developer agrees to dismiss the lawsuit upon the approval of the final map of Scripps Northridge Business Center.

FILE LOCATION: SUBITEMS A-C: SUBD-Scripps Northridge  
Business Center; SUBITEM-D: DEED F-5741  
DEED FY92-1;CONT FY92-2

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-125 (R-92-877) ADOPTED AS RESOLUTION R-279219

Authorizing the execution of an amendment to the  
Subdivision Improvement Agreement for Penasquitos Park  
View Estates Unit No. 5, to provide for the  
substitution of The Fieldstone Company for Genstar  
Development, Inc., as subdivider;  
granting an extension of time to June 1, 1992 to  
complete the required improvements; accepting  
Performance Bond No. 111 2714 7111, issued by The  
American Insurance Company, in the amount of

\$1,480,089; releasing Performance Bond No. SC6441226,  
issued by The American Insurance Company, in the amount  
of \$5,920,356.

(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION:

On November 18, 1986, the City entered into an agreement with Genstar Development Inc., for the construction of public improvements for Penasquitos Park View Estates Unit No. 5. The agreement expired on November 18, 1988, but was automatically extended by the IDO (Tolling of Time). The property is now owned by The Fieldstone Company. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to June 1, 1992.

The work is approximately 95 percent complete. The new subdivider has provided a performance bond for the approved amount of \$1,480,089. The amended agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD-Penasquitos Park View Estates Unit  
No. 5 CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-126: (R-92-878) ADOPTED AS RESOLUTION R-279220

Authorizing the City Manager to execute an amendment to the Subdivision Improvement Agreement for Penasquitos Park View Estates Unit No. 6, to provide for the substitution of The Fieldstone Company for Genstar Development, Inc., as subdivider; declaring that the public improvements to be constructed shall be completed by June 1, 1992; accepting Performance Bond

No. 111 2714 7129, issued by The American Insurance Company, in the amount of \$714,894, for the required improvements and releasing Performance Bond No. SC6441227, issued by The American Insurance Company, in the amount of \$2,859,576.

(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION:

On November 18, 1986, the City entered into an agreement with Genstar Development, Inc. for the construction of public improvements for Penasquitos Park View Estates Unit No. 6. The agreement expired on November 18, 1988, but was automatically extended by the IDO (Tolling of Time). The property is now owned by The Fieldstone Company. The new owner has signed an Amended Agreement to assume all of the obligations of the original subdivider and complete the required work. The Amended Agreement also provides for an extension of time to complete the work to June 1, 1992. The work is approximately 86 percent complete. The new subdivider has provided a performance bond for the approved amount of \$714,894. The Amended Agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD-Penasquitos park View Estates unit No.  
6 CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-127: (R-92-879) ADOPTED AS RESOLUTION R-279221

Authorizing the City Manager to execute an amendment to the Subdivision Improvement Agreement for Penasquitos Park View Estates Unit No. 7, to provide for the substitution of J.M. Peters Company, Inc. for Genstar Development, Inc., as subdivider; granting an extension of time to June 1, 1992 to complete the required

improvements; accepting Performance Bond No. 3 SM 771 005 00, issued by American Motorists Insurance Company, in the amount of \$476,034; releasing Performance Bond No. SC6441225, issued by The American Insurance Company, in the amount of \$1,904,138.  
(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION:

On November 18, 1986, the City entered into an agreement with Genstar Development, Inc. for the construction of public improvements for Penasquitos Park View Estates Unit No. 7. The agreement expired on November 18, 1988, but was automatically extended by the IDO (Tolling of Time). The property is now owned by J.M. Peters Company, Inc. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to June 1, 1992. The work is approximately 88% complete. The new subdivider has provided a performance bond for the approved amount of \$476,034. The amended agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD-Penasquitos Park View Estates Unit No.  
7 CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-128: (R-92-913) ADOPTED AS RESOLUTION R-279222

Authorizing the execution of an amendment to the Subdivision Improvement Agreement for Penasquitos Park View Estates Unit No. 14, to provide for the substitution of Lyon Communities/Woodcrest Associates for American Newland Associates, as subdivider; granting an extension of time to December 7, 1992 to complete the required improvements; accepting

Performance Bond No. 111 3289 8609, issued by American Insurance Company, in the amount of \$641,044; releasing Performance Bond No. SC643755, issued by American Insurance Company, in the amount of \$2,564,176.  
(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION:

On February 22, 1988, the City entered into an agreement with American Newland Associates for the construction of public improvements for Penasquitos Park View Estates Unit No. 14. The agreement expired on February 22, 1990, but was automatically extended by the IDO (Tolling of Time). The property is now owned by Lyon Communities/Woodcrest Associates. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to December 7, 1992. The work is approximately 99 percent complete. The new subdivider has provided a performance bond for the approved amount of \$641,044. The amended agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD-Penasquitos park View Estates Unit No.  
14 CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-129: (R-92-939) ADOPTED AS RESOLUTION R-279223

Authorizing the execution of an Amendment to Subdivision Improvement Agreement for Sunland Sorrento, to provide for the substitution of Warmington Homes for Sunland Housing Group, Inc., as subdivider; granting an extension of time to January 1, 1993, to complete the required improvements; accepting Performance Bond No. 119-20-47, issued by Insurance Company of the West, in the amount of \$310,110; releasing Performance Bond No.

04-72-96, in the amount of \$929,570.  
(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION:

On September 12, 1988 the City entered into an agreement with Sunland Housing Group, Inc., for the construction of public improvements for Sunland Sorrento. The agreement expired on September 12, 1990. The property is now owned by Warmington Homes. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to January 1, 1993. The work is approximately 90 percent complete. The new subdivider has provided a performance bond for the approved amount of \$310,110. The amended agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD-Sunland Sorrento CONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-130: (R-92-888) ADOPTED AS RESOLUTION R-279224

Approving the acceptance by the City Manager of a grant deed of Doris K. Callstrom and George D. Hedberg, granting to the City an easement for a public alley in Lots 25 and 26 in Block 4 of Reed's Ocean Front Addition, Map-913; dedicating said land for a public alley. (Pacific Beach Community Area. District-2.)

FILE LOCATION: DEED F-5742 DEED FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,



Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-131: (R-92-848) ADOPTED AS RESOLUTION R-279225

Approving the acceptance by the City Manager of the deed of Pardee Construction Company conveying to the City a drainage easement in a portion of Parcel 3, Parcel Map PM-13333; authorizing the execution of a quitclaim deed, quitclaiming to Pardee Construction Company all of the City's right, title and interest in the drainage easement in a portion of Parcel 3, Parcel Map PM-13333. (Carmel Valley Community Area. District-1.)

FILE LOCATION: DEED F-5743 DEED FY92-2

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-132: (R-92-868) ADOPTED AS RESOLUTION R-279226

Authorizing the execution of a quitclaim deed, quitclaiming to the Solana Beach School District a portion of Lot A, Carmel Valley Neighborhood 1, Unit 3, Map-12564.  
(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION:

As a condition of Map-12564, a 90-lot subdivision in Carmel Valley Neighborhood #1, the City was deeded 0.29 acres (Lot "A") for open space purposes. By a change to the community plan for Neighborhood #1, the map was redesigned and the area originally designated for the 90-lot subdivision was amended to contain a 3.0-acre school site (Solana Beach School District) and an 11.5-acre neighborhood park. Of the 0.29 acres originally deeded for open space purposes, 0.15 acres falls within the newly designated school site area. This 0.15 acres is to be

quitclaimed to the Solana Beach School district to conform with the community plan. The balance of the open space (0.14 acres) will be included in the new neighborhood park.

FILE LOCATION: DEED F-5744 DEED FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-133: (R-92-853) ADOPTED AS RESOLUTION R-279227

Amending Council Policy 100-03, entitled "Transient Occupancy Tax," to incorporate existing Council Policies 100-04, 100-11 and 100-13, and rescinding Council Policies 100-04, 100-11 and 100-13, pursuant to the recommendation of the City Manager contained in City Manager Report CMR-91-471, Transient Occupancy Tax Policy Consolidation, which was approved by the Public Services and Safety Committee, as amended, on November 6, 1991. (See City Manager Report CMR-91-471.)

COMMITTEE ACTION: Reviewed by PSS on 11/6/91. The Committee approved City Manager Report CMR-91-471, amended to delete Housing Trust Fund reference described in allocation of TOT funds to the San Diego Convention Center Corporation. The Committee also approved the following amendment by Councilmember Roberts: "Amend the Draft Council Policy - Transient Occupancy Tax by adding under "Purpose": 7. ensure a local revenue source to be used to enhance and promote the City's art and cultural organizations." Districts 2, 3, 4, 5 and 7 voted yea.

CITY MANAGER SUPPORTING INFORMATION:

City Manager Report CMR-91-471, Transient Occupancy Tax Policy Consolidation, was approved by the PS&S Committee with the following amendments to the "Purpose" section of the draft Council Policy:

- a: Add as #7 - ensure a local revenue source to be used to finance and promote the City's art and cultural organizations.

- b: Add as #8 - ensure a local revenue source to be used to finance and promote economic development in San Diego.

The draft Council Policy has been amended to reflect the revisions made by the PS&S Committee and is attached to City Manager Report CMR-91-471.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C494-520.)

MOTION BY STEVENS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-134: (R-92-864) ADOPTED AS RESOLUTION R-279228

Accepting the donation of two mountain bicycles with assorted safety, convenience and repair equipment, a one year maintenance package, and a car mounted rack from the San Diego Crime Commission for use as alternative patrol vehicles in the Department's Special Tactics of Policing (S.T.O.P.) program; expressing gratitude for this act of civic generosity.  
(District-3.)

CITY MANAGER SUPPORTING INFORMATION: The San Diego Crime Commission has donated two mountain bicycles, along with assorted safety, convenience, and repair equipment, a one-year maintenance package, and a car mounted rack, to the San Diego Police Department. The total value of this equipment is approximately \$1,200. The bicycles and equipment will be used as alternative patrol vehicles in conjunction with the Department's Special Tactics of Policing (S.T.O.P.) program.

Such alternative patrol capabilities are expected to enhance prevention and law enforcement efforts, and to result in the further development of innovative patrol activities. This Resolution recommends that the City of San Diego: 1) accept this donation on behalf of the Police Department, and 2) thank the San Diego Crime Commission for this donation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-135: (R-92-885) ADOPTED AS RESOLUTION R-279229

Accepting the generous donation of \$1,356.82 from the  
Paradise Hills Recreation Council, to equally match  
City funds for the purchase of an IBM compatible  
computer, accessories and software for use in the  
Paradise Hills/Penn area; expressing appreciation to  
the Paradise Hills Recreation Council for its generous  
donation and continuing financial support.  
(Paradise Hills Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: For many years, the City  
has appropriated funds in the Park and Recreation Department  
Annual Operating Budget to match community donations for purchase  
of equipment. In Fiscal 1992, the Department has \$8,000  
available for this purpose. The "Matching Fund" concept  
originated as an incentive to community groups to participate  
financially in providing equipment or services to help overcome  
the City's budgetary constraints. This program has enabled  
recreation councils and other community groups to purchase a  
variety of equipment and services resulting in enhancement of  
community recreation at centers city-wide. This donation of  
\$1,356.82 from the Paradise Hills Recreation Council will assist  
in providing the following item for the Paradise Hills/Penn area:  
1) a computer with software to improve programming activities,  
accountability of funds and preparation of daily operational  
correspondence and programs.  
Aud. Cert. 9200394.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-136: (R-92-867) ADOPTED AS RESOLUTION R-279230

Excusing Councilmember John Hartley from attending the  
Council meeting of November 12, 1991, due to illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-137: (R-92-906) ADOPTED AS RESOLUTION R-279231

Excusing Councilmember Judy McCarty from attending the  
Public Facilities and Recreation Committee meeting of  
November 13, 1991, due to illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-138: (R-92-1007) ADOPTED AS RESOLUTION R-279232

A Resolution approved by the City Council in Closed  
Session on Tuesday, November 26, 1991, by the following  
vote:

Wolfsheimer-yea; Roberts-yea; Hartley-yea; Pratt-yea;  
Behr-yea; Henderson-yea; McCarty-yea; Filner-yea;  
Mayor-yea.

Authorizing the City Manager to pay the sum of \$25,000  
in the settlement of each and every claim against the  
City, its agents and employees, resulting from an

incident which occurred on June 30, 1990 (Superior Court Case No. 632930, Daniel W. Demeyere v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$25,000, made payable to Daniel W. Demeyere, and his attorney of record, Barry Plotkin, in full settlement of all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claim of Daniel W. Demeyere against the City of San Diego as a result of the incident of June 30, 1990.

Aud. Cert. 9200423.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-139: (R-92-999) ADOPTED AS RESOLUTION R-279233

A Resolution approved by the City Council in Closed Session on Tuesday, December 10, 1991, by the following vote:

Wolfsheimer-yea; Roberts-yea; Hartley-yea; Stevens-yea; Behr-not present; Stallings-yea; McCarty-yea; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$735,000 in the settlement of each and every claim against the City, its agents and employees, resulting from a natural gas explosion resulting in death and injury (Superior Court Case No. 620397, Harlin, et al. v. San Diego Gas & Electric Co., et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$735,000 made payable to San Diego Gas & Electric Co., in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the Wrongful Death claim of Debbie Arnaudo and Personal Injury claim of Larry Harlin, against the City of San Diego as a result of the incident on January 28, 1989.

Aud. Cert. 9200486.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-140: (R-92-922) ADOPTED AS RESOLUTION R-279234

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the south side of El Cajon Boulevard between Arizona Street and Texas Street; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs. (Park North East Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION:

The proposed time limit parking zone was petitioned by property owners representing 100 percent of the affected frontage. Recent parking studies determined the average parking occupancy to be 100 percent and the average parking duration to be 4.5 hours. This location is adjacent to two other two-hour time limit parking zones that received a high level of enforcement. This meets the requirements of Council Policy 200-4. Therefore, this parking restriction is recommended for implementation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-141: (R-92-920) ADOPTED AS RESOLUTION R-279235

Authorizing the execution of agreements with eight agencies to operate programs designed to assist the homeless population in the San Diego area: St. Vincent de Paul, San Diego Shelter Program; County of San Diego; St. Vincent de Paul, Homeless Shelter Facilities Program; Love's Gifts; San Diego Housing Commission; San Diego Youth and Community Services; Neighborhood House Association; and Episcopal Community Services; authorizing the expenditure of an amount not to exceed \$20,000 from Fund No. 185261, and the expenditure of an amount not to exceed \$211,956 from Fund No. 185271, for providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: The City has applied for and received funding under the Emergency Shelter Grant subsection of the Stewart B. McKinney Homeless Assistance Act. As in past years, the Community Services Division has solicited input from various groups and individuals that assist the homeless population in the San Diego area as to how the limited homeless funding resources should be spent to assist the expanding populace that need assistance. Staff recommends that the following programs be awarded contracts to assist the homeless:

- 1) The Homeless Shelter Facilities Program (\$94,713) operated by St. Vincent de Paul, which will provide 75 shelter beds per night in a transitional housing program;
- 2) The Interfaith Shelter Program (\$41,357) operated in conjunction with the County of San Diego, provides shelter to families and individuals during the cold, winter season at faith facilities that provide overnight lodging in various areas throughout San Diego. In excess of 1,000 bed nights will be made available through this program;
- 3) The San Diego Shelter Project (\$30,528) operated by St. Vincent de Paul, which provides 24 emergency beds per night to homeless persons;
- 4) The Perishable Food Program operated by Love's Gift (\$12,000), is a program designed to pick up food that otherwise would go to waste from delis, hotels, catering services, etc., and deliver the food to agencies that have feeding programs for the homeless;
- 5) The Cold Weather Shelter Program (\$15,000), in conjunction with the Housing Commission, will provide emergency shelter to families and



individuals during cold, inclement weather; 6) The Youth Shelter Program (\$23,214), operated by S.D. Youth and Community Services, provides short term overnight shelter to homeless youths between the ages of 12 and 18; 7) The Food Bank Starter Kit Program (\$7,500), operated by the Neighborhood House Association, will assist homeless families and individuals by providing needed household items such as mops, cleansers, brooms, etc., to persons who are transitioning from agency-sponsored shelters to permanent housing; and 8) The Emergency Shelter Program (\$7,644), operated by Episcopal Community Services, provides overnight shelter to eight homeless individuals at a facility located in the downtown area.

Aud. Certs. 9200406/9200413.

FILE LOCATION: MEET CONT FY92-8

COUNCIL ACTION: (Tape location: C525-D150.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-142: (R-92-793 Rev.1) ADOPTED AS AMENDED AS  
RESOLUTION R-279236

Authorizing the execution of a lease agreement with The Boys Club of San Diego, Inc., a nonprofit organization, d.b.a. Boys and Girls Club of San Diego, for the operation of the William J. Oakes/Logan Heights Branch Boys and Girls Club, with the following basic conditions:

Operator:	Boys and Girls Club of San Diego
Location:	2930 Marcy Avenue (NW corner of Marcy Avenue and 30th Street)
Activities:	Athletics, arts and crafts, indoor games, cooking classes, tutoring and homework assistance, and special events
Term:	20 years
Rental:	\$600 per year
Maintenance:	Provided by Boys and Girls Club of San Diego.

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(See City Manager Report CMR-92-04. Logan Heights  
Community Area. District-8.)

FILE LOCATION: LEAS-The Boys Club of San Diego, Inc.  
LEAS FY92-1

COUNCIL ACTION: (Tape location: E106-253.)

MOTION BY FILNER TO ADOPT AS AMENDED BY OFFERING A TEN-YEAR  
LEASE WITH A TEN-YEAR OPTION; THE OPTION WOULD BECOME  
AVAILABLE BASED ON ADEQUATE MAINTENANCE OVER A PERIOD OF  
TIME. Second by Hartley. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-not present.

ITEM-143: (R-92-865) CONTINUED TO FEBRUARY 3, 1992

Authorizing the execution of an agreement with the  
County of San Diego, for general Animal Control  
Services, to provide animal regulation services in  
Fiscal Year 1992; authorizing the expenditure of an  
amount not to exceed \$1,719,824 from the General Fund,  
Nondepartmental Expenditures (Program 60101), for the  
purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: In FY 1989, the City of  
San Diego entered into an agreement with the County under which  
the County recovers full costs for the provision of general  
animal control services. The attached "Amendment Number Three to  
Agreement for Animal Control Service" extends the effective  
period of the agreement through June 30, 1996. The terms of the  
agreement remain the same with the following exception: a  
requirement for biannual informational meetings with  
representatives from all interested contracting jurisdictions.  
The estimated cost for general animal control service for FY 1992  
is \$1,563,476.

Aud. Cert. 9200381.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A246-296.)

MOTION BY STALLINGS TO CONTINUE THE ITEM TO FEBRUARY 3, 1992, DUE TO CONCERNS WITH THE CITY'S AGREEMENT WITH THE COUNTY FOR ANIMAL CONTROL SERVICES. DIRECT THE CITY MANAGER TO COME BACK WITH A REPORT THAT INCLUDES THE FOLLOWING ITEMS: 1) A REVIEW OF THE FOUR IMPORTANT AUDITS OF THE DEPARTMENT OF ANIMAL CONTROL CONDUCTED BY THE CITY, STATE, GRAND JURY, AND COUNTY AS WELL AS COUNTY SUBCOMMITTEE ANALYSIS OF THE CURRENT SPAY AND NEUTER PROGRAMS. 2) PROVIDE AN EXPLANATION OF WHY THE CONTRACT IS RETROACTIVE BY SIX MONTHS. 3) PROVIDE COMPARISONS OF THE REVENUES FROM LICENSES AND DEPOSITS TO CITY COSTS, AND EXPLAIN THE GREAT INCREASE IN COST FOR ANIMAL CONTROL IN JUST FIVE YEARS. 4) PROVIDE A THOROUGH EXPLORATION OF ALTERNATIVE PROVIDERS OF ANIMAL CONTROL SERVICES. 5) THE CITY IS TO PERFORM A REVIEW OF CURRENT SPAY AND NEUTER PROGRAMS AND SUCCESSFUL PROGRAMS IN OTHER CITIES. THE CITY IS TO WORK WITH THE COUNTY TO ESTABLISH GOALS THAT AIM TO DECREASE THE NUMBER OF ANIMALS THAT ARE PUT TO SLEEP AND INCREASE THE NUMBERS THAT ARE ADOPTED. THESE GOALS SHOULD BE INCORPORATED INTO THE CITY'S AGREEMENT WITH THE COUNTY. TO ACCEPT COUNCIL MEMBER WOLFSHEIMER'S REQUEST THAT THE CITY MANAGER REFER TO THE LETTER FROM CHRIS CAULKINS AS AN ADDITIONAL ANALYSIS OF THE MATTER. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-144: (R-92-1011) ADOPTED AS RESOLUTION R-279237

Authorizing the execution of a second amendment to the Consultant Agreement with CSI Resource Systems, Inc., for the evaluation for the City's Comprehensive Waste Management System vendor proposals; authorizing the expenditure of an amount not to exceed \$65,735 from the Waste Management Enterprise Fund, CIP-37-255.0 Materials Recovery Facility, for the purpose of providing funds for the above project; declaring that it is contemplated that this action will ultimately be financed with tax-exempt securities and the funds sought would be reimbursed with proceeds from the sale of such securities; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION: CSI Resource Systems, Inc., was retained on July 24, 1989 via Resolution R-274079. CSI's scope of work entailed the evaluation of vendor proposals for the City's Comprehensive Waste Management System. Subsequently, the City retained (under separate actions) a project financial advisory and special contract counsel to participate in the evaluative process which would lead to the City's negotiation with its selected vendor. The financial advisory and special contract counsel would be able to analyze the vendor proposals and accurately assess vendors' positions on key issues within CSI's purviews. However, CSI was required to review and comment on the technical ramifications of these analysis and to participate in additional proposal clarification rounds prompted by those consultants.

Such additional tasks were not contemplated in the original scope of work; therefore, it is recommended that CSI be compensated for the additional work effort. There was no opportunity to compartmentalize the additional tasks to provide meaningful work for a subconsultant or to initiate a new procurement process. Consequently, the second amendment to agreement is proposed, despite the failure to attain MBE/WBE goals with this action.

Aud. Cert. 9200485.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-145: (R-92-905) ADOPTED AS RESOLUTION R-279238

Authorizing the execution of an amendment to the agreement of May 30, 1989 with Dudek & Associates, Inc. for professional services required for replacement of Sewer Pump Station No. 5; authorizing the expenditure of the amount of \$7,515 from CIP-46-106.0, Sewer Revenue Fund 41506, for Phase II - Final Design; and the expenditure of the amount of \$61,860 from CIP-46-106.0, for funding the acquisition of land by

City staff for Pump Station No. 5; authorizing the City Manager to finance or refinance this activity with tax exempt securities, if circumstances so warrant. (Barrio Logan/Harbor 101 Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On May 30, 1989, the City entered into an agreement with Dudek & Associates, Inc., Document No. RR-273590, to provide professional engineering services for the replacement of Sewer Pump Station No. 5. This amendment will provide funding for the design of an additional maintenance structure, a catwalk permitting access to the bearings on the pump drive shafts, and additional survey associated with Sewer Pump Station No. 5. The land acquisition process began soon after the City hired Dudek & Associates, Inc. in 1989. City staff in the Attorney's Office and the Property Department have incurred expenditures of \$49,486.80 for land acquisition services. An additional City staff expenditure of \$12,373.20 is anticipated for land acquisition services. The total expenditure for land acquisition services by City staff will be \$61,860.

Aud. Cert. 9200397.  
WU-U-92-051.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-146: (R-92-807) ADOPTED AS RESOLUTION R-279239

Authorizing the execution of an agreement with Brian F. Mooney Associates, for as-needed archeological consultant services; authorizing the expenditure of an amount not to exceed \$300,000 from the Clean Water Program Fund 41509, CIP-45-910.3, to provide funds for this project; authorizing the City Manager to finance or refinance this activity with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION: After careful review of

the ongoing development of the Clean Water Program, it has been determined that the City has a need for professional archaeological consultant services on an "as-needed" basis to support the Clean Water Program.

Due to the ongoing nature of program development, identifying specific tasks for the consultant to perform will also be ongoing. As specific requirements are established, the consultant will be authorized in writing by the City to perform the requirements via "Task Orders".

Anticipated tasks include archeological fields surveys and mitigation and monitoring plans to identify if significant archaeological resources are located at proposed CWP facilities' sites; preparing required testing and data recovery plans to avoid or mitigate impacts as stipulated in the Programmatic Agreement (PA) for the treatment of cultural resources being developed between the City, EPA, and State Historic Preservation Officer; and providing input as to appropriate archaeological procedures resulting from local, state or federal permitting requirements, especially Section 106 of the National Historic Preservation Act. The estimated cost for such services is based on the last two years of archaeological services required, and costs borne by the Clean Water Program for similar tasks by local archaeological firms. The average cost of the types of studies envisioned for the as-needed archaeological consultant to undertake is estimated to be \$20,000 to \$30,000 per study. This agreement is for a two-year period, with a 12-month option if monies remain. The MBE/WBE goals for this project are 12 percent MBE and 3 percent WBE. MBE and WBE participation under this agreement as presently proposed represents 12 percent MBE and 3 percent WBE.

Aud. Cert. 9200403.  
WU-CWP-92-060.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-147: (R-92-1003) ADOPTED AS RESOLUTION R-279240

Authorizing the execution of an agreement with Roy F. Weston, Inc., to provide technical support during the drafting and negotiation of a service agreement for the City's Comprehensive Waste Management System project; authorizing the expenditure of an amount not to exceed \$86,000 from the Waste Management Enterprise Fund, CIP-37-255.0, Material Recovery Facility, for providing funds for the above project; declaring that it is contemplated that this action will ultimately be financed with tax-exempt securities and would be reimbursed with proceeds from the sale of such securities; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION: The City has entered into negotiations with DANECO, Inc. toward an agreement for the City's contemplated Comprehensive Waste Management System. Given the specialized nature of the materials recovery/composting technology, it is desirable that the City retain a consultant with technical expertise, to provide counsel during the negotiations. Such technical counsel will insure a viable service agreement that will include terms and conditions that are in the City's best interest. The selection of the consultant was performed in accordance with the provisions of A.R. 25.70 and Council Policy 300-07.

The consultant has identified a certified MBE, Eugene Tseng and Associates, as a sub-consultant to advise on environmental law and permitting issues as they relate to the contemplated service agreement.

This MBE will receive at least 12 percent of the contract award. The cost of this project shall not exceed \$86,000. Funds are available in CIP-37-255. It is contemplated that this action will ultimately be financed with tax-exempt securities and the funds will be reimbursed with proceeds from the sale of such securities.

Aud. Cert. 9200483.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-148: (R-92-933) ADOPTED AS RESOLUTION R-279241

Authorizing the execution of a consulting agreement  
with the State of California, Department of General  
Services, to provide approximately 40 hours of  
consulting services by Assistant City Attorney C.M.  
Fitzpatrick to the State Department of General  
Services.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-149: (R-92-772) ADOPTED AS RESOLUTION R-279242

Authorizing an agreement with the Commission on Police  
Officer Standards and Training (POST) in which the City  
will provide the services of a police captain to  
fulfill a POST fellowship program for a period not to  
exceed nine months at a cost of \$69,831 to POST.

CITY MANAGER SUPPORTING INFORMATION: The Commission on Police  
Officer Standards and Training desires the services of a police  
captain to fill a nine month POST Fellowship Position. POST  
recently held a Training Issues Symposium following a series of  
open forums conducted by the Commission throughout California in  
the wake of concerns with law enforcement training programs  
impacting areas of supervisorial accountability, use of force and  
cultural awareness. The symposium was attended by Chief Bob  
Burgreen, other law enforcement chief executives and



administrators, rank and file members, training managers, and community members from throughout California. Their work resulted in over 100 recommendations that must be evaluated by subject matter experts and developed into proposals to present to the POST Commission Training Review Committee. The fellowship position will be responsible for developing an action and implementation plan for the recommendations. The length of the fellowship will not exceed nine months and POST will provide \$69,831 to pay the salary of the police captain filling the position.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-150: (R-92-884) ADOPTED AS RESOLUTION R-279243

Authorizing the execution of a fourth amendment to the agreement between the City of Chula Vista, the City of San Diego, and the Spring Valley Sanitation District of the County of San Diego for the use of the District's Outfall Sewer.

CITY MANAGER SUPPORTING INFORMATION: In March of 1964, the City of San Diego executed the basic agreement with the Spring Valley Sanitation District to permit use of the District's outfall sewer by the City of San Diego and the City of Chula Vista. Amendment of the basic agreement at this time would allow Chula Vista to contract with ADS Services, Inc., for the installation, maintenance and operation of computerized metering stations to monitor the Chula Vista wastewater flow into the Spring Valley Outfall Sewer. This amendment also stipulates the methods for billing and reporting sewage flows after the installation of these meters.

WU-CWP-92-069.

FILE LOCATION: WATER-District's Outfall Sewer CONT  
FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-151: (R-92-687) TRAILED TO JANUARY 7, 1992, DUE TO  
LACK OF TIME

Authorizing the execution of an agreement with the City  
of Coronado for repayment of State motor vehicle and  
cigarette taxes, which were paid to the City of  
Coronado and not sent to the City of San Diego.

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego and  
the City of Coronado discovered during a review that \$498,861.09,  
to which San Diego is entitled from State motor vehicle and  
cigarette taxes, should be paid to San Diego due to litigation in  
1986 over entitlement to state subventions from a census tract in  
San Diego Bay where U. S. Navy personnel are stationed on ships.  
The taxes were paid to Coronado and not sent on to San Diego. We  
have negotiated an agreement under which Coronado will pay the  
City of San Diego these funds over a period of seven years, with  
6 percent interest (a total of \$691,593.07). The Coronado City  
Council has approved the agreement. The City Manager  
recommends San Diego City Council approval.

\* ITEM-152:

Two actions relative to time extension for City  
Participation Agreement for widening Midway Drive:  
(Point Loma Community Area. District-2.)

Subitem-A: (R-92-854) ADOPTED AS RESOLUTION R-279244

Granting an extension of time to Bayside Motel, Inc. to  
November 30, 1992 to complete the improvements required  
for widening of Midway Drive between Duke Street and  
the entrance to Point Loma Plaza Shopping Center.

Subitem-B: (R-92-855) ADOPTED AS RESOLUTION R-279245

Dedicating the street reservation between Duke Street  
and Kemper Street as and for a public street and naming  
the same Midway Drive.

CITY MANAGER SUPPORTING INFORMATION: On July 10, 1989, the City entered into an agreement with Bayside Motel, Inc. (developer), a California Corporation, to participate in the cost of construction of public improvements to Midway Drive (RR-273928). The improvements consist of a four foot street widening in front of the developer's property (a requirement of the P.C.D.), plus 102 feet of off-site improvements to meet existing curb, gutter, and sidewalk. Public Improvements Permit No. W-37607 was issued on January 2, 1990. The City Participation Agreement has expired. The developer is now ready to start construction of the public improvements. He is requesting that the participation agreement be extended until November 30, 1992 so that when he completes the public improvements he can obtain the occupancy permit. The time extension is recommended.

FILE LOCATION: SUBITEM-A: MEET; SUBITEM-B: DEED F-5745  
DEED FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-170: CONTINUED TO JANUARY 13, 1992

(Continued from the meetings of November 12, 1991, Item S413, November 25, 1991, Item 150, and December 9, 1991, Item 150; last continued at Councilmember Filner's request, to continue discussion on the matter.)

In the matter of the City Council Committee System.  
(See memorandum from Councilmember Wolfsheimer dated 11/11/91; and memorandum from Councilmember Behr dated 11/6/91.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A191-246.)

MOTION BY BEHR TO CONTINUE ONE WEEK AS RECOMMENDED BY THE CITY MANAGER. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-171: (R-92-774) CONTINUED TO FEBRUARY 3, 1992

Amending Council Policy 700-14, entitled "Management of City-owned Properties within the Focused Planning Area of the San Dieguito River Park," regarding incentives to be offered farmers to insure agricultural uses are not phased out of San Pasqual Valley; authorizing the City Manager, to the greatest extent feasible, to incorporate provisions for housing for permanent farmworkers in all new lease agreements for agricultural lands.  
(See City Manager Report CMR-91-500. San Pasqual Community Area. District-5.)

COMMITTEE ACTION: Reviewed by PFR on 11/27/91.  
Recommendation to approve the City Manager's recommendation.  
Districts 1, 3 and 7 voted yea. Districts 6 and 8 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A191-246.)

MOTION BY BEHR TO CONTINUE TO FEBRUARY 3, 1992. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-200: (O-92-79) ADOPTED AS ORDINANCE O-17730 (New Series)

Adoption of an Ordinance authorizing the execution of a 25-year joint use agreement with the San Diego Unified

School District for the construction, operation, maintenance and lease of turfed field and recreation facilities at Farb Middle School; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$53,500 from PSD Fund No.11340 to CIP-29-403.0, Roadrunner Neighborhood Park -Development, Phase II; authorizing the expenditure of an amount not to exceed \$473,500, consisting of \$245,000 from CIP-29-403.0, Roadrunner Neighborhood Park - Development, Phase II, Tierrasanta - FBA Fund No. 79005, and \$228,500 from PSD Fund No. 11340, for the purpose of constructing park facilities in accordance with this agreement and for related project expenses; requesting the San Diego Unified School District to administer contracts for the construction of turf and irrigation improvements at Farb Middle School at a cost not to exceed \$445,000. (Tierrasanta Community Area. District-7. Introduced on 2/9/91. Council voted 8-0. Mayor not present.)

CITY MANAGER SUPPORTING INFORMATION: Farb Middle School is located next to Roadrunner Park in Tierrasanta. The proposed agreement will provide a joint use facility at Farb Middle School for a 25-year period on a no fee basis. The City has prepared plans and specifications for athletic field improvements to be made on the playground at Farb Middle School. San Diego Unified School District (District) will use the plans and specifications and financing provided by the City (\$445,000) to construct the proposed improvements. Farb Middle School operates year round and coordinating the construction with the operation of the school is best done by District. Surplus funds, if any, will be returned to the City. The turfed area will be maintained by the City in exchange for public access to the fields during non-school hours.

Aud. Cert. 9200421.

FILE LOCATION: LEAS - San Diego Unified School District -  
Farb Middle School LEAS FY92-1

COUNCIL ACTION: (Tape location: C357-388.)

Hearing began at 3:50 p.m. and halted at 3:58 p.m.

MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-201: (O-92-78) TRAILED TO JANUARY 7, 1992, DUE TO  
LACK OF TIME

First public hearing in the matter of:

Amending Ordinance O-17667 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1991-92 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17667-1, as adopted and amended therein, by amending the personnel authorization of the Purchasing Department (0570) to exempt from the Classified Service a new Central Stores Program Manager position for the Central Stores Division (8100), Fund 50010; and establishing a salary rate.

CITY MANAGER SUPPORTING INFORMATION: The proposed ordinance will create the position of Central Stores Manager and exempt this position from the Classified Service. The Civil Service Commission, in its advisory capacity, approved this recommendation on November 7, 1991.

The Stores Manager will have full responsibility and accountability for the City's \$16.5 million Central Stores Program. This includes responsibility for gasoline, and materials stocked in storerooms operated by City departments other than the Purchasing Department. The position will provide service to all City departments, will prepare responses to audits of the stores program, and develop policies and procedures to eliminate or minimize future audit deficiencies. The Central Stores Manager will work directly with the County of San Diego in administering the joint City-County auction program for surplus property. The Manager will conduct sealed bid sales of surplus property, and negotiate prices for sales of surplus material to other governmental agencies, including agencies south of the border. Surplus City property sales yield annual net revenues of close to \$1,000,000.

The Stores Manager will be a member of the Purchasing Department Management team with full operational responsibility for his/her division. This includes responsibility for developing and

administering the Central Stores budget, shaping and ensuring compliance with policy, and dealing proactively with personnel issues.

NOTE: Today's action is the first public hearing. See Item 337 on the docket of Tuesday, January 7, 1992, for the introduction and adoption of the ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: --.)

ITEM-202: (O-92-10) TRAILED TO JANUARY 7, 1992, DUE TO  
LACK OF TIME

First public hearing in the matter of:

Amending Ordinance No. O-17667 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1991-92 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending the personnel authorization of the Water Utilities Department (700) to exempt from the Classified Service a new Deputy Director position for the Technical Services and Environmental Monitoring Division in the Water Utilities Department, Program Element 70211; and establishing a salary rate. (See City Manager Report CMR-92-03.)

NOTE: Today's action is the first public hearing. See Item 338 on the docket of Tuesday, January 7, 1992, for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: --.)

ITEM-203: (R-92-1010) ADOPTED AS RESOLUTION R-279246

Authorizing the execution of a fund transfer agreement between the City of San Diego and the Metropolitan

Transit Development Board (MTDB), subject to the availability of monies, to fund costs relating to the Old Town Light Rail Transit Project; rescinding those parts of Resolution R-278335, adopted July 16, 1991, which are inconsistent with the desired actions of the Old Town Light Rail Transit Project Fund Transfer Agreement. (District-2.)

CITY MANAGER SUPPORTING INFORMATION: Council Policy 100-11 expresses Council's intent to provide financial support for extension of the San Diego Trolley. Council approval of the Old Town Fund Transfer Agreement No. 1 would provide \$18.3 million in City funding to the Old Town Light Rail Transit (LRT) Project Line. \$10.3 million of the transfer would fund the project costs for project administration, design/engineering, utility relocation, construction, and professional services. The remaining \$8 million would allow the Harborview/Little Italy portion of the project to be grade separated below Grape Street and Hawthorne Street. Juniper Street will be closed during construction of the Harbor/Little Italy portion of the project. The Old Town LRT project is scheduled to be operational in 1995. \$14 million is budgeted in the Trolley Extension Fund in FY 1992. Allowing for the annual \$3.0 million in debt service towards the Bayside LRT and an additional \$7.1 million for completion of the Bayside LRT project, it is expected that by year 2000 the Old Town LRT project's \$18.3 million in City funds will have been transferred to MTDB. MTDB is requesting a Fund Transfer Agreement for the purpose of funding the above project expenses. The requested Fund Transfer Agreement would transfer \$18,300,000 from the Trolley Extension Reserve Fund, subject to availability of monies, to MTDB. The transfer of funds will occur upon MTDB's submission to the City of invoices/requisitions and supporting documentation for costs incurred or financial obligations.

Aud. Cert. 9200487.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: D157-E086.)

MOTION BY FILNER TO APPROVE THE TRANSFER OF MONEY AS RECOMMENDED BY STAFF. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.



ITEM-204: (R-92-1006) DEFEATED

Authorizing the City Manager to re-submit City Manager Report CMR-91-159, as modified by Resolution R-277701, to the San Diego County Regional Transportation Commission, continuing the inclusion of Jackson Drive (Mission Trails Parkway), as a project in the City's five year expenditure plan (Fiscal Years 1992-1997) for TransNet funds. (See memorandum from Councilmember McCarty dated 12/13/91; Resolution R-277701, adopted 4/15/91; City Manager Report CMR-91-159. District-7.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A476-C308.)

Motion by McCarty to reaffirm the transnet funding for the Jackson Drive Project. Second by Filner. No vote.

SUBSTITUTE MOTION BY WOLFSHEIMER TO AMEND THE CURRENT TRANSNET FUNDING TO ELIMINATE JACKSON DRIVE. DIRECT THE CITY MANAGER TO COME BACK TO COUNCIL DOCKETING THE ISSUE OF DELETION OF JACKSON DRIVE FROM THE MISSION TRAILS MASTER PLAN, THE VARIOUS EFFECTED COMMUNITY PLANS, AND THE GENERAL PLAN. REFER THE MATTER OF REALLOCATION OF THE FUNDS FOR 1992, AS WELL AS ANY OTHER YEARS, TO TRANSPORTATION AND LAND USE WHERE WE WILL FORMULATE A POLICY RECOMMENDATION FOR THIS COUNCIL. THAT RECOMMENDATION IS TO COME BACK FROM T&LU WITHIN 30 DAYS. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Filner-nay, Mayor O'Connor-not present.

ITEM-205: (R-92-773) DEFEATED

(Continued from the meeting of December 2, 1991, Item 200, at Councilmember Hartley's request, to allow the City Manager to clear up any confusion and make sure all affected parties are properly noticed.)

Authorizing the City Manager to increase the annual licensing fee for pawnbrokers and dealers in second-hand articles from \$228 annually to \$342

annually; the revised fee shall be maintained in the City Clerk's composite rate book pursuant to San Diego Municipal Code Section 33.3706.

(See City Manager Report CMR-91-499.)

FILE LOCATION: GEN'L-FEES & CHARGES

COUNCIL ACTION: (Tape location: E261-378.)

MOTION BY McCARTY TO DENY THE INCREASE. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-206: (R-92-818) CONTINUED TO JANUARY 13, 1992

(Continued from the meeting of November 25, 1991, Item S407, at the City Manager's request, for further review.) Approving in concept the draft Memorandum of Understanding between the City of San Diego and the San Diego Unified School District for potential future park and school improvements in the Scripps Miramar Ranch Community Plan Area; directing the City Manager and City Attorney to continue to work with staff of the School District to develop a final Memorandum of Understanding for proposed Council approval.

(Scripps Miramar Ranch Community Area. District-5.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A191-246.)

MOTION BY BEHR TO CONTINUE ONE WEEK FOR FURTHER REVIEW. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-207: (R-92-554) CONTINUED TO JANUARY 21, 1992

Declaring Marine Shale Processors to be a non-responsible bidder and therefore ineligible to bid

on or be a subcontractor for Waste Disposal for a  
period of three years.  
(BID-K2853/92)

(See memorandum from Deputy Director, Waste Management,  
Services Division, dated 6/7/91.)

FILE LOCATION:                   --

COUNCIL ACTION:           (Tape location:  A191-246.)

MOTION BY BEHR TO CONTINUE TO JANUARY 21, 1992, AS  
RECOMMENDED BY THE CITY MANAGER.  Second by Hartley.  Passed  
by the following vote:  Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-208:       (R-92-925)           CONTINUED TO JANUARY 27, 1992

Accepting the petition for the Improvement of Via  
Aprilia, Via Borgia, Via Cortina, Via Donada, Via  
Esperia, Via Felino, Via Nestore, Via Merano and Via  
Pisa in Del Mar Terrace Assessment District No. 4072,  
for grading and paving, under the provisions of the  
Municipal Improvement Act of 1913.  
(Torrey Pines Community Area.  District-1.)

CITY MANAGER SUPPORTING INFORMATION:  This petition is for  
providing the grading, pavement and drainage improvements of all  
remaining unimproved streets in the Del Mar Terrace area,  
pursuant to the provisions of the Municipal Improvement Act of  
1913.  The petition for this improvement was signed by the owners  
of 35.20 percent of the property area involved.  In addition to  
the petition, there are 62 owners who have applied for building  
permits and signed waivers representing 30.39 percent of the  
property area, for a total of 65.59 percent.  A temporary layer  
of asphalt which was spread on these unimproved streets years ago  
has presently completely deteriorated and is totally  
"inadequate."  Although a 67 percent petition is required by  
Council Policy 800-3, "Assessment Procedures," it is recommended  
that in the interest of public safety and welfare to get these  
streets paved, the 65.59 percent petition be accepted.  All  
property owners have been notified on February 25, 1991, and  
given a preliminary cost estimate, projected to 1992, as follows:

Street Improvements	\$1,904,000
Contingencies	95,200
Engineering & Incidental Costs	699,720
Total cost	2,698,920

Based on the above estimate, the estimated assessments to fronting parcels would be approximately \$220 per front foot. However, corner lots would receive a discount of half of the sideyard portion of the lot (i.e., the non-address side of the corner lot).

FILE LOCATION: STRT D-2291

COUNCIL ACTION: (Tape location: A455-467.)

MOTION BY WOLFSHEIMER TO CONTINUE TO JANUARY 27, 1992.  
Second by Hartley. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-yea, Stallings-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-not present.

ITEM-S400: (R-92-1028) ADOPTED AS RESOLUTION R-279247

Authorizing the execution of a three year right-of-entry permit and a permanent right-of-way easement deed to San Diego County Water Authority for a pipeline through the City's golf course, leased to American Golf Corporation, at Mission Trails Regional Park and in Jackson Drive.  
(Mission Trails Regional Park Community Area.  
District-7.)

CITY MANAGER SUPPORTING INFORMATION: The San Diego County Water Authority (SD CWA) is proposing to improve distribution and service to the San Diego region by constructing an 11-mile water pipeline (Pipeline 4 Extension, Phase I) through the San Carlos area of the City of San Diego, the cities of La Mesa, Lemon Grove, and the Spring Valley area of the County. A portion of the Phase I Project, a tunnel easement through Cowles Mountain, was approved by City Council in September 1991. The area covered by this easement request is located between Jackson Drive from a point south of the golf course northerly to the intersection of Navajo Road covering roughly 15.83 acres.

The right-of-entry permit and easement will allow SD CWA to

construct and maintain a water line in the easement area. An easement for other portions of the water pipeline known as 1) Lake Murray Location, and 2) Cowles Mountain South area, will be presented to the City Council in the near future. The City's lessee of the Mission Trails golf course, American Golf Corp. has approved of the easement's location and will be compensated by SD CWA for golf course closures resulting from the pipeline construction. SD CWA has requested that the City and American Golf Corp. execute a three year right-of-entry permit so that SD CWA can show it has control of the pipeline right-of-way. This will allow SD CWA to solicit bids and get firm construction costs for the pipeline. An appraisal of the easement area has been ordered. Once the appraisal is complete and accepted, SD CWA will pay the City fair market value for the easement. The City Manager and American Golf Corp. will then execute an Easement Deed. The right-of-entry permit and easement have been approved by the Mission Trails Task Force.

FILE LOCATION: DEED F-5746 DEED FY92-1

COUNCIL ACTION: (Tape location: E378-528.)

MOTION BY McCARTY TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

\* ITEM-S401:

Two actions relative to Parcel Map W.O. No. 910430, located northeasterly of Carmel Valley Road and Carmel Creek Road: (Carmel Valley Community Area. District-1.)

Subitem-A: (R-92-1031) ADOPTED AS RESOLUTION R-279248

Approving Parcel Map No. W.O. 910430.

Subitem-B: (R-92-1032) ADOPTED AS RESOLUTION R-279249

Authorizing the execution of a certificate of ownership of that area labeled Parcel 2 on final Parcel Map No. W.O. 910430, consenting to the preparation and recordation of the map.

FILE LOCATION: SUBD-Parcels land 2 of Parcel Map No. 14812

COUNCIL ACTION: (Tape location: C357-388.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Lincoln Pickard regarding small businesses.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E538-577.)

ITEM-PC-2:

Comments by Peter Navarro regarding the Plan Initiative.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E577-580.)

ITEM-CS-4: (R-92-1052) ADOPTED AS RESOLUTION R-279262

A Resolution adopted by the City Council in Closed Session  
on November 26, 1991:

Authorizing the City Manager to pay the sum of  
\$22,862.78 to Patrick A. McCormick, Jr., and the sum of  
\$12,467.50 to the law firm of McInnis, Fitzgerald,  
Rees, Sharkey & McIntyre, in the settlement of each and  
every claim against the City of San Diego, its agents  
and employees for the payment of fees in connection  
with their representation of Council Members Henderson,  
Roberts, and McCarty. Authorizing the City Auditor and  
Comptroller to issue two checks; one to Patrick A.  
McCormick, Jr. for \$22,862.78, and the second to the  
law firm of McInnis, Fitzgerald, Rees, Sharkey &  
McIntyre for \$12,467.50 in full settlement of all  
claims.

Aud.Cert.: 8800768 and 9100378.

FILE LOCATION: MEET

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Roberts at  
5:41 p.m. in honor of the memory of Genevieve  
LaFontaine.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E580-590).